

On April 3, 2019 appellant filed a wage-loss compensation claim (Form CA-7) for total disability from March 30 through May 6, 2019. On the reverse side of the claim form, the employing establishment indicated that appellant was placed off of work by her attending physician due to her December 28, 2018 employment-related injury.

In a development letter dated April 16, 2019, OWCP requested that appellant submit additional evidence in support of her claim for total disability compensation, including a medical report explaining how her employment-related condition worsened such that she was no longer able to perform the duties of her position when she stopped working on March 30, 2019. It afforded her 30 days to respond.

Appellant submitted medical evidence on April 29, 2019, including medical reports dated April 2 to 11, 2019 indicating that she was treated by Dr. Shahram Shakeri, a chiropractor, and An Suhyun, a nurse practitioner.

On June 27, 2019 OWCP denied appellant's wage-loss compensation claim finding that the evidence of record was insufficient to establish total disability from work for the period March 30 through May 6, 2019 causally related to the accepted employment injury. It indicated that it had not received any medical evidence following receipt of the Form CA-7.

On November 20, 2019 appellant requested reconsideration and submitted additional evidence.

By decision dated December 6, 2019, OWCP denied modification of its June 27, 2019 decision. In its decision it indicated that aside from three duty status reports (Form CA-17) and work capacity evaluation (Form OWCP-5) reports dated March 27, April 1 and 2, and May 7, 2019, respectively, medical evidence for the period March 30 to May 6, 2019 was not received.

The Board has duly considered the matter and finds that the case is not in posture for a decision. In the case of *William A. Couch*,¹ the Board held that when adjudicating a claim OWCP is obligated to consider all evidence properly submitted by a claimant and received by OWCP before the final decision is issued.

In its December 6, 2019 decision, OWCP indicated that aside from the three reports it had previously noted, medical evidence from March 30 to May 6, 2019 had not been received in support of the wage-loss compensation claim. However, appellant submitted medical reports dated April 2 to 11, 2019 indicating that she was treated by Dr. Shakeri and Ms. Suhyun, which were received by OWCP on April 29, 2019.

It is crucial that OWCP address all relevant evidence received prior to the issuance of its final decision, as the Board's decisions are final with regard to the subject matter appealed.² The Board finds that this case is not in posture for decision, as OWCP did not address the above-noted evidence in its December 6, 2019 decision.³ On remand, following such further development as deemed necessary, OWCP shall review all evidence of record and shall issue a *de novo* decision.

¹ 41 ECAB 548 (1990); *see also R.D.*, Docket No. 17-1818 (issued April 3, 2018).

² *See C.S.*, Docket No. 18-1760 (issued November 25, 2019); *Yvette N. Davis*, 55 ECAB 475 (2004); *see also William A. Couch, id.*

³ *See V.C.*, Docket No. 16-0694 (issued August 19, 2016).

IT IS HEREBY ORDERED THAT the December 6, 2019 decision of the Office of Workers' Compensation Programs is set aside and the case is remanded to OWCP for further proceedings consistent with this order of the Board.

Issued: August 19, 2020
Washington, DC

Christopher J. Godfrey, Deputy Chief Judge
Employees' Compensation Appeals Board

Janice B. Askin, Judge
Employees' Compensation Appeals Board

Valerie D. Evans-Harrell, Alternate Judge
Employees' Compensation Appeals Board